

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

David C. Boyd
J. Dennis O'Brien
Thomas Pugh
Phyllis A. Reha

Chair
Commissioner
Commissioner
Commissioner

In the Matter of the Application of Northern
States Power Company (d/b/a Xcel
Energy) for a Certificate of Need for the Prairie
Island Nuclear Generating Plant for
an Extended Power Uprate

ISSUE DATE: July 22, 2008

DOCKET NO. E-002/CN-08-509

DOCKET NO. E-002/CN-08-510

In the Matter of the Application of Northern
States Power Company (d/b/a Xcel Energy) for
a Certificate of Need for the Prairie Island
Nuclear Generating Plant for Additional Dry
Cask Storage

ORDER ACCEPTING APPLICATION AS
SUBSTANTIALLY COMPLETE PENDING
SUPPLEMENTAL FILING

PROCEDURAL HISTORY

On May 16, 2008, Northern States Power Company, a Minnesota corporation (d/b/a Xcel Energy or Xcel), submitted an Application to the Commission for two Certificates of Need related to the Prairie Island Nuclear Generating Plant.

- Xcel requested a Certificate of Need for an Extended Power Uprate. This request is assigned to Docket No. E-002/08-509.
- Xcel requested a second and separate Certificate of Need for Additional Dry Cask Storage. at its Independent Spent Fuel Storage Installation at Prairie Island. This request is assigned to Docket No. E-002/08-510.

On May 20, 2008 the Commission issued its Notice of Comment Periods on the Completeness of Xcel's Filing. The Notice established June 13, 2008 as the due date for comments. Replies to comments were to be filed no later than Monday, June 23, 2008.

On June 13, 2008, the Office of Energy Security of the Minnesota Department of Commerce (the OES) and the Prairie Island Indian Community filed comments.

On June 23, 2008, Xcel filed Reply Comments.

The Commission met to consider these matters on July 15, 2008.

FINDINGS AND CONCLUSIONS

I. Xcel's Application Requesting Two Certificates of Need

A. Power Uprate Request (08-509)

In requesting a Certificate of Need for an extended power uprate (Docket No. E-002/CN-08-509), Xcel Energy has proposed increasing its electrical generating capabilities of the Prairie Island Nuclear Generating Plant from the current licensed thermal power level of 1650 megawatts (MW) to a nominal capacity of 1805 MW (increasing net generator output 82 MWt per unit). The procedures and criteria for the extended power uprate Certificate of Need are contained in Minn. Stat. § 216B.243, and Minn. Rules, Parts 7849 and 7829.

B. Dry Cask Storage Application (08-510)

In requesting a Certificate of Need to increase its dry cask storage at the Prairie Island facility (E-002/CN-08-510), Xcel stated that its current authorization from the State of Minnesota to store up to 29 dry casks of spent fuel generated at that this location authorizes enough storage to contain spent fuel generated through the end of its current NRC operating license which expires in 2013 and 2014. In addition, Xcel's Independent Spent Fuel Storage Installation at Prairie Island is currently licensed by the U. S. Nuclear Regulatory Commission (NRC) to store 48 TN-40 version casks. Xcel has requested authority to store an additional 16 casks at the facility using an updated version of the TN-40 casks called TH-40HL casks. The procedures and criteria for the dry cask storage Certificate of Need are contained in Minn. Stat. § 216B.243, and Minn. R. Parts 7855 and 7849.

II. Comments Regarding the Completeness of Power Uprate Request (08-509)

The OES stated that certain information required by Minnesota Rules¹ was not included by Xcel in the Petition. The OES recommended that Xcel provide the missing information in reply comments or request a variance. The OES explained that none of the missing items appeared to be information it would use to evaluate Xcel's request. Therefore, the OES concluded, it had no objection to the Commission granting Xcel a variance from the data requirements identified, if requested by the Company in its reply comments, with the requisite information for requesting a variance.

¹ Minn. Rules, Parts 7849.0240 subpart 2 B; 7849.0270 subpart 2 E; 7849.0270 subpart 2, F; 7849.0300; and 7849.0340.

The Prairie Island Indian Community (the Community) stated that it had no objection to Xcel's proposal to combine the certificate of need dockets as long as Xcel agrees that the Community may participate fully in these dockets.

The Community stated that due to its close proximity to Xcel's Prairie Island facility, the Company's proposed project has a significant and direct impact on the Community. As a consequence, the Community stated, it intends to take an active role in the Power Uprate Docket to ensure a thoroughly developed record and to limit the impact on the Community.

The Community asserted that many, if not all aspects of the docket are not ripe for consideration by the Commission and that the Company's analysis of aspects of the Certificate of Need application for the Uprate are insufficient or altogether lacking. The Community stated that it intends to participate as a party once the Commission establishes the timeframe for intervention in this docket (and/or Xcel confirms the Community's ability to fully participate in the proceeding) and identified several issues that it proposed to explore in this docket.

III. Xcel's Reply Comments Regarding Completeness of its Uprate Request (08-509)

Xcel maintained that three of the items the OES identified as missing are adequately addressed in the application but agreed to provide additional information as an application supplement.

In response to the Community, Xcel argued that the Community's comments do not address the completeness of the application, but rather are questions of health and safety as well as procedural matters. Xcel stated that it welcomes the Community's participation in the Extended Power Uprate Certificate of Need proceeding (Docket No. E-002 /CN-08-509) and stated that the issues raised by the Community can be addressed either before the Commission as the docket develops or before the Nuclear Regulatory Commission, the federal agency with preeminent authority and responsibility for ensuring that public health and safety are protected.

IV. Comments Regarding the Completeness of Xcel's Power Dry Cask Storage Request (08-510)

The OES stated that Xcel met the completeness requirements for the proposed dry cask expansion except for the information requirements of three rules:

- 1) an explanation of the relationship between the proposed facility and promotional activities that may have given rise to the demand for the facility, as required by Minn. Rules, Part 7855.0260 (B);
- 2) the level of radioactivity of each source, type and amount of nuclear waste product in curies per year, as required by Minn. Rules, Part 7855.0600, C, 2; and
- 3) five years of historical data, as well as a forecast of demand through the forecast years for a nuclear waste storage or disposal facility, as required by Minn. Rules, Part 7855.0620.

The OES recommended that the Commission order Xcel to provide the data required by Minn. Rules, Part 7855.0260 B for the proposed facility or grant the Company a variance from this data requirement if requested by Xcel. With respect to the data required by the other two rules (Minn. Rules, Part 7855.0600, C, 2 and 7855.0620), the OES recommended that the Commission order Xcel to provide this data.

The Community did not file comments on this matter.

V. Xcel's Reply Comments Regarding Completeness of its Dry Cask Storage Request

Regarding the statement by OES that information required by Minn. Rules, Part 7855.0260, B was missing from Xcel's filing, Xcel stated that the application completeness checklist misreferenced the section of the application and that Section 9.3.2 states that the demand for the facility is not due to promotional activities.

Regarding the information required by Minn. Rules, Part 7855.0620, Xcel stated that this information is contained in Appendix G of the Application.

Regarding the information required by Minn. Rules, Part 7855.0600, C, 2, Xcel stated that it would provide additional required information in a supplemental filing.

VI. Commission Analysis and Action Regarding the Completeness of Xcel's Certificate of Need Requests

The Certificate of Need application requirements applicable to large electrical generating facilities are found in Minn. Rules parts 7849.0010 to 7849.0400. These are the Certificate of Need filing requirements that Xcel must meet with respect to its Extended Power Uprate proposal.

The Certificate of Need application requirements applicable to nuclear waste storage facilities are found in Minn. Rules, Parts 7855.0010 to 7855.0280 and 7855.0600 to 7855.0670. These are the Certificate of Need filing requirements that Xcel must meet with respect to its proposed Dry Cask Storage Addition.

Having reviewed the parties' comments and informational filings in light of the filing requirements for these projects, the Commission will accept both filings as substantially complete, contingent upon Xcel submitting adequate supplemental information on certain points, as identified by the OES and specified in the Ordering Paragraphs.

VII. Extending Time for Action on Completeness of Xcel's Application

A. Completeness Review in the 08-509 Docket

Minn. Rules, Part 7849.0200, subp. 5 requires that an applicant for a Certificate of Need for a project such as Xcel's proposed Extended Power Uprate must be notified within 30 days of the receipt of an application if the application is not substantially complete.

In this case, the time required to properly examine the completeness of Xcel's application did not allow the Commission to conclude its review within this time period. Rushing the completeness examination to meet the 30-day deadline would have compromised the analysis and imposed an unreasonable burden upon the Commission and the OES. The public interest is advanced by allowing adequate time to complete the filing completeness analysis. The 30-day requirement is set by Commission rule rather than by statute and is therefore subject to a variance under Minn. Rules, Part 7829.3200.

In light of the circumstances cited above, the Commission finds that the criteria for a variance established in Minn. Rules, Part 7829.3200 have been met and will vary the 30-day requirement, extending the deadline for notifying Xcel of its filing's incompleteness to June 17, 2008 to permit adequate consideration of the issues.

B. Completeness Review in the 08-510 Docket

The deadline set in Minn. Rules, Part 7855.0200, subp. 7 for the Commission to notify Xcel of the incompleteness of its filing requesting a Certificate of Need for its dry cask storage addition is 15 days. As with Xcel's proposed Extended Power Uprate discussed above, the time required to properly examine the completeness of Xcel's application did not allow the Commission to conclude its review within this time period. Rushing the examination to meet the 15 day deadline would have compromised the analysis and imposed an unreasonable burden upon the Commission and the OES. The public interest is advanced by allowing adequate time for a thorough completeness analysis of an applicant's filing for such a proposal. The 15-day requirement is set by Commission rule rather than by statute and, as such, is subject to a variance under Minn. Rules, Part 7829.3200.

In these circumstances, the Commission finds that the criteria for a variance established in Minn. Rules, Part 7829.3200 have been met. Accordingly, the Commission will vary the 15-day requirement, extending the notification period to June 17, 2008 to permit adequate consideration of the issues.

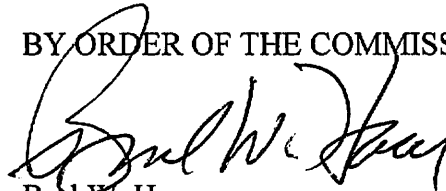
ORDER

1. The Application by Xcel Energy for a Certificate of Need for an Extended Power Uprate at its Prairie Island Nuclear Generating Plant will be deemed substantially complete as of the date the Company makes a supplementary filing addressing the specific data elements and issues identified below:

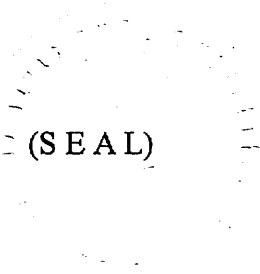
Minn. Rules, Part 7849.0270 subp. 2 E (Peak Demand and Annual Consumption Forecast)
Minn. Rules, Part 7849.0270 subp. 2 F (Peak Demand and Annual Consumption Forecast)
Minn. Rules, Part 7849.0300 (Consequences of Delay)
Minn. Rules, Part 7849.0340 (No Facility Alternative)

2. The Application by Xcel Energy for a Certificate of Need for additional dry cask storage at its Prairie Island Nuclear Generating Plant will become substantially complete when the Company makes a supplementary filing addressing the specific data element and issue required by Minn. Rules, Part 7855.0600, subp. C (2).
3. The Commission hereby varies the 30-day timeline established in Minn. Rules, Part 7849.0200, subd. 5 for notifying Xcel that its Certificate of Need application regarding the extended power uprate are incomplete, extending that timeline to July 17, 2008.
4. The Commission also varies the 15-day timeline established in Minn. Rules, Part 7849.0200, subd. 7 for notifying Xcel that its Certificate of Need application regarding the dry cask storage addition is incomplete, extending that timeline to July 17, 2008.
5. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION



Burt W. Haar
Executive Secretary



(SEAL)

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STATE OF MINNESOTA)
COUNTY OF RAMSEY)SS

AFFIDAVIT OF SERVICE

I, Margie DeLaHunt, being first duly sworn, deposes and says:

That on the 22nd day of July, 2008 she served the attached

ORDER ACCEPTING APPLICATION AS SUBSTANTIALLY COMPLETE PENDING
SUPPLEMENTAL FILING.

MNPUC Docket Number: E-002/CN-08-509 & E-002/CN-08-510

XX By depositing in the United States Mail at the City of St. Paul, a
true and correct copy thereof, properly enveloped with postage
prepaid

XX By personal service

XX By inter-office mail

to all persons at the addresses indicated below or on the attached list:

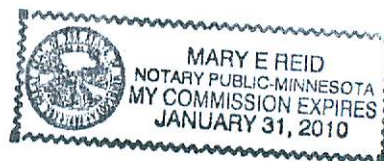
Commissioners
Carol Casebolt
Peter Brown
Eric Witte
Marcia Johnson
Kate Kahlert
David Jacobson
Bret Eknes
Tricia Debleeckere
Mike Kaluzniak
Bob Cupit
Mary Swoboda
Jessie Schmoker
DOC Docketing
AG - PUC
Julia Anderson - OAG
John Lindell - OAG

Margie DeLaHunt

Subscribed and sworn to before me,

a notary public, this 22 day of

July, 2008
Mary E. Reid
Notary Public



BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

David C. Boyd
J. Dennis O'Brien
Thomas Pugh
Phyllis A. Reha

Chair
Commissioner
Commissioner
Commissioner

In the Matter of the Application of Northern
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Island Nuclear Generating Plant for
an Extended Power Uprate

ISSUE DATE: July 22, 2008

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In the Matter of the Application of Northern
States Power Company (d/b/a Xcel Energy) for
a Certificate of Need for the Prairie Island
Nuclear Generating Plant for Additional Dry
Cask Storage

DOCKET NO. E-002/CN-08-510

NOTICE AND ORDER FOR HEARING

PROCEDURAL HISTORY

On May 16, 2008, Northern States Power Company, a Minnesota corporation (d/b/a Xcel Energy or Xcel), submitted an application to the Commission for two Certificates of Need related to the Prairie Island Nuclear Generating Plant.

- Xcel requested a Certificate of Need for an Extended Power Uprate. This request has been assigned to Docket No. E-002/08-509.
- Xcel requested a second and separate Certificate of Need for Additional Dry Cask Storage at its Independent Spent Fuel Storage Installation at its Prairie Island facility. This request has been assigned to Docket No. E-002/08-510.

On May 20, 2008 the Commission issued its Notice of Comment Periods on the Completeness of Xcel's Filing. The Notice established June 13, 2008 as the due date for comments. Replies to comments were to be filed no later than Monday, June 23, 2008.

On June 13, 2008, the Office of Energy Security of the Minnesota Department of Commerce (the OES) and the Prairie Island Indian Community (the Community) filed comments.

On June 23, 2008, Xcel filed Reply Comments.

The Commission met on July 15, 2008 to consider this matter.

On the date of this Order, the Commission issued its ORDER ACCEPTING APPLICATION AS SUBSTANTIALLY COMPLETE PENDING SUPPLEMENTAL FILING.

FINDINGS AND CONCLUSIONS

I. Jurisdiction

Before building a large energy facility in Minnesota, a person must apply for a "Certificate of Need" demonstrating that the facility is needed. Minn. Stat. § 216B.243, subd. 2. The Commission has jurisdiction over applications for certificates of need for large energy facilities, including the extended power uprate and the dry cask storage addition (nuclear waste storage facility) at issue in these dockets, under Minn. Stat. §§ 216B.2421 and 216B.243.

II. Referral for Contested Case Proceedings

The requirements for making an application for a Certificate of Need, as well as the ultimate criteria for demonstrating need, are set forth at Minn. Stat. § 216B.243 and at Minn. Rules, Chapters 7849 and 7855. The Commission finds that it cannot resolve the issues raised in the application on the basis of the record before it. Those issues turn on specific facts that are best developed in formal evidentiary hearings. The Commission will therefore refer the matter to the Office of Administrative Hearings (OAH) for contested case proceedings to be presided over by an Administrative Law Judge (ALJ). Minn. Rules, part 7829.1000.

III. Issues to be Addressed, Witnesses to be Produced

Minn. Stat. § 216B.243, Minn. Stat. § 116C.83, and Minn. Rules, Chapters 7849 and 7855 set forth criteria that must be met to establish need for proposed large energy facilities, including the projects at issue in these two dockets. The parties, except to the extent precluded by valid previous agreement¹, should address whether the proposed projects meets these criteria. In

¹ At this time, the issue of whether the Prairie Island Indian Community is barred in whole or in part, by reason of its 2003 Settlement Agreement with NSP, from participating in the Dry Cask Storage Docket (E-002/N-08-510) is not before the Commission. In its June 13, 2008 comments in the extended power update docket, the Community raised the issue, requesting that Xcel confirm that the Community's participation in the dry cask storage docket (to the extent it relates to additional dry cask storage after the relicensing period) would not be contrary to, or in violation of, the May 2003 Agreement. To date, Xcel has not done so. But neither has it clearly opposed or sought to bar the Community's participation in the dry cask storage proceeding, in

addition to the criteria cited above, any disagreement between the parties regarding the extent to which the Community is precluded from participation in proceedings regarding the dry cask storage addition docket should also be addressed, as well as the practicalities and feasibility of addressing these two dockets jointly in a contested case proceeding under such circumstances.

At the end of this process, the Commission is required to make a specific written finding with respect to each of the criteria set forth in Minn. Rules, part 7855.0120.² If an application for a certificate of need is denied, the Commission is required to state the reasons for the denial.³

IV. Public Participation

Minn. Stat. § 216B.243, subd. 4 encourages public participation in certificate of need proceedings. The statute requires at least one hearing to obtain public opinion on the application and requires the Commission to designate an employee to facilitate citizen participation in the hearing process.

The Commission has designated Michael Kaluzniak, Facilities Planner, to facilitate and coordinate public participation in this proceeding. He may be reached by telephone at (651) 201-2257 and by fax at (651) 297-7073. His address is Suite 350, 121 7th Place East, St. Paul, Minnesota 55101-2147.

Persons who cannot attend the public hearing(s) and wish to comment may submit written comments to the Administrative Law Judge. The Commission will require the Company to publish notice of the public and evidentiary hearings in newspapers throughout the state, to encourage public participation.

V. Procedural Outline

A. Administrative Law Judge

The Administrative Law Judge assigned to this case is Richard C. Luis. His address and telephone number are as follows: Office of Administrative Hearings, P.O. Box 64620, St. Paul, MN 55164-0620; (651) 361-7843.

whole or in part, by reason of the 2003 Settlement Agreement. If, in the course of the contested case proceeding before the ALJ, that issue is joined, the ALJ can address it and determine what impact the 2003 Agreement has on the conduct of the contested case proceeding. As necessary, the ALJ has the option to certify this issue back to the Commission for resolution.

² Minn. Rules, Part 7855.0100.

³ Minn. Rules, Part 7855.0200, subpart 9.

B. Hearing Procedure

- *Controlling Statutes and Rules*

Hearings in this matter will be conducted in accordance with the Administrative Procedure Act, Minn. Stat. §§ 14.57-14.62; the rules of the Office of Administrative Hearings, Minn. Rules, parts 1400.5010 to 1400.8400; and, to the extent that they are not superseded by those rules, the Commission's Rules of Practice and Procedure, Minn. Rules, parts 7829.0100 to 7829.3200.

Copies of these rules and statutes may be purchased from the Print Communications Division of the Department of Administration, 660 Olive Street, St. Paul, Minnesota 55155; (651) 297-3000. These rules and statutes also appear on the State of Minnesota's website at www.revisor.leg.state.mn.us.

The Office of Administrative Hearings conducts contested case proceedings in accordance with the Minnesota Rules of Professional Conduct and the Professionalism Aspirations adopted by the Minnesota State Bar Association.

- *Right to Counsel and to Present Evidence*

In these proceedings, parties may be represented by counsel, may appear on their own behalf, or may be represented by another person of their choice, unless otherwise prohibited as the unauthorized practice of law. They have the right to present evidence, conduct cross-examination, and make written and oral argument. Under Minn. Rules, part 1400.7000, they may obtain subpoenas to compel the attendance of witnesses and the production of documents.

Parties should bring to the hearing all documents, records, and witnesses necessary to support their positions.

- *Discovery and Informal Disposition*

Any questions regarding discovery under Minn. Rules, parts 1400.6700 to 1400.6800 or informal disposition under Minn. Rules, part 1400.5900 should be directed to Michael J. Kaluzniak, Facilities Planner, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul, Minnesota 55101-2147, (651) 201-2257; or Kari Zipko, Assistant Attorney General, 1100 NCL Tower, 445 Minnesota Street, St. Paul, Minnesota 55101, (651) 296-1408.

- *Protecting Not-Public Data*

State agencies are required by law to keep some data not public. Parties must advise the Administrative Law Judge if not-public data is offered into the record. They should take note that any not-public data admitted into evidence may become public unless a party objects and requests relief under Minn. Stat. § 14.60, subd. 2.

- *Accommodations for Disabilities; Interpreter Services*

At the request of any individual, this agency will make accommodations to ensure that the hearing in this case is accessible. The agency will appoint a qualified interpreter if necessary. Persons must promptly notify the Administrative Law Judge if an interpreter is needed.

- *Scheduling Issues*

The times, dates, and places of public and evidentiary hearings in this matter will be set by order of the Administrative Law Judge after consultation with Commission staff and intervening parties.

- *Notice of Appearance*

Any party intending to appear at the hearing must file a notice of appearance (Attachment A) with the Administrative Law Judge within 20 days of the date of this Notice and Order for Hearing.

- *Sanctions for Non-compliance*

Failure to appear at a prehearing conference, a settlement conference, or the hearing, or failure to comply with any order of the Administrative Law Judge, may result in facts or issues being resolved against the party who fails to appear or comply.

C. Parties and Intervention

The current parties to this case are the Company and the Office of Energy Security of the Minnesota Department of Commerce (the OES). Other persons wishing to become formal parties shall promptly file petitions to intervene with the Administrative Law Judge. They shall serve copies of such petitions on all current parties and on the Commission. Minn. Rules, part 1400.6200.

D. Prehearing Conference

A prehearing conference will be held in this case at a date, time, and place to be set by the ALJ in consultation with Commission staff.

Persons participating in the prehearing conference should be prepared to discuss time frames, scheduling, discovery procedures, and similar issues. Potential parties are invited to attend the prehearing conference and to file their petitions to intervene as soon as possible.

VI. Application of Ethics in Government Act

The lobbying provisions of the Ethics in Government Act, Minn. Stat. §§ 10A.01 *et seq.*, apply to certificate of need cases. Persons appearing in this proceeding may be subject to registration, reporting, and other requirements set forth in that Act. All persons appearing in this case are urged to refer to the Act and to contact the Campaign Finance and Public Disclosure Board, telephone number (651) 296-5148, with any questions.

VII. Ex Parte Communications

Restrictions on *ex parte* communications with Commissioners and reporting requirements regarding such communications with Commission staff apply to this proceeding from the date of this Order. Those restrictions and reporting requirements are set forth at Minn. Rules, parts 7845.7300-7845.7400, which all parties are urged to consult.

ORDER

1. The Commission hereby refers these matters to the Office of Administrative Hearings for a contested case proceeding, including the public hearing required as part of the review of the Company's Certificate of Need Applications.
2. The contested case proceeding shall begin with a prehearing conference. The prehearing conference will be held in this case at a date, time, and place to be set by the ALJ in consultation with Commission staff.
3. At least one public hearing shall be held in this matter at a time and place determined by the Administrative Law Judge after consultation with Commission staff. Commission staff will also work with the Administrative Law Judge to select a suitable location for the evidentiary hearings on the application.
4. The Commission asks the OES to continue its examination of the merits of the application and to provide a recommendation on the reasonableness of granting the requested certificate of need.
5. The Company shall facilitate in every reasonable way the continued examination of the issues by the OSE and, as applicable, the Environmental Quality Board.
6. The Company shall publish notice of the public and evidentiary hearings at least 10 days in advance in visible display ads in newspapers of general circulation throughout the state. The Company shall work with Commission staff to develop a plan to meet this requirement, including a proposed text, a list of the newspapers it proposes to use, and proposed publication dates prior to publication. The Company shall obtain proofs of publication of the ads required above.

7. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION



Burl W. Haar
Executive Secretary



(SEAL)

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BEFORE THE MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS

P.O. Box 64620

St. Paul, MN 55164-0620

FOR THE MINNESOTA PUBLIC UTILITIES COMMISSION

121 Seventh Place East Suite 350

St. Paul, Minnesota 55101-2147

In the Matter of the Application of Northern
States Power Company (d/b/a Xcel Energy) for
a Certificate of Need for the Prairie Island
Nuclear Generating Plan for an Extended Power
Uprate

MPUC Docket No. E-002/CN-08-509

OAH Docket No.

In the Matter of the Application of Northern
States Power Company (d/b/a Xcel Energy) for
a Certificate of Need for the Prairie Island
Nuclear Generating Plan for Additional Dry
Cask Storage

MPUC Docket No. E-002/CN-08-510

OAH Docket No.

NOTICE OF APPEARANCE

Name, Address and Telephone Number of Administrative Law Judge:

Richard C. Luis, Office of Administrative Hearings, P.O. Box 64620, St. Paul, MN 55164-0620;
(651) 361-7843.

TO THE ADMINISTRATIVE LAW JUDGE:

You are advised that the party named below will appear at the above hearing.

NAME OF PARTY:

ADDRESS:

TELEPHONE NUMBER:

PARTY'S ATTORNEY OR OTHER REPRESENTATIVE:

OFFICE ADDRESS:

TELEPHONE NUMBER:

SIGNATURE OF PARTY OR ATTORNEY: _____

DATE: _____

STATE OF MINNESOTA)
)SS
COUNTY OF RAMSEY)

AFFIDAVIT OF SERVICE

I, Margie DeLaHunt, being first duly sworn, deposes and says:

That on the 22nd day of July, 2008 she served the attached

NOTICE AND ORDER FOR HEARING.

MNPUC Docket Number: E-002/CN-08-509 & E-002/CN-08-510

XX By depositing in the United States Mail at the City of St. Paul, a true and correct copy thereof, properly enveloped with postage prepaid

XX By personal service

XX By inter-office mail

to all persons at the addresses indicated below or on the attached list:

Commissioners
Carol Casebolt
Peter Brown
Eric Witte
Marcia Johnson
Kate Kahlert
David Jacobson
Bret Eknes
Tricia Debleeckere
Mike Kaluzniak
Bob Cupit
Mary Swoboda
Jessie Schmoker
DOC Docketing
AG - PUC
Julia Anderson - OAG
John Lindell - OAG

Margie DeLaHunt

Subscribed and sworn to before me,

a notary public, this 22 day of

July, 2008
Mary E. Reid
Notary Public



BURL W. HAAR
MN PUBLIC UTILITIES COMMISSION
SUITE 350
121 EAST SEVENTH PLACE
ST. PAUL, MN 55101-2147

SHARON FERGUSON
MN DEPARTMENT OF COMMERCE
SUITE 500
85 7TH PLACE EAST
ST. PAUL, MN 55101-2198

JULIA ANDERSON
MN OFFICE OF THE ATTORNEY GENERAL
1400 BRM TOWER
445 MINNESOTA STREET
ST. PAUL, MN 55101-2131

JOHN LINDELL
OAG-RUD
900 BRM TOWER
445 MINNESOTA STREET
ST. PAUL, MN 55101-2130

DAVID M. AAFEDT
WINTHROP & WEINSTINE, P.A.
SUITE 3500
225 SOUTH SIXTH STREET
MINNEAPOLIS, MN 55402

MICHAEL AHERN
DORSEY & WHITNEY, LLP
SUITE 1500
50 SOUTH SIXTH STREET
MINNEAPOLIS, MN 55402-1498

B. ANDREW BROWN
DORSEY & WHITNEY LLP
SUITE 1500
50 SOUTH SIXTH STREET
MINNEAPOLIS, MN 55402-1498

ARSHIA JAVAHERIAN
INTERSTATE POWER AND LIGHT COMPANY
200 FIRST STREET SE
PO BOX 351
CEDAR RAPIDS, IA 52406-0351